Bill read 14 Nov. 1702

Some Free Thoughts

Upon the Account of the

Proceedings of Both HOUSES,

Relating to the K. England D. Pamb.

CONFORMITY-BILL

Laſt SESSIONS.

Humbly ſhewing an Expedient

How it might probably have been made more Serviceable to the True Intereſt of the *Church of England.*

HER Majeſty's moſt Religious Proclamation, *For the Encouragement of Piety and Virtue, and for the preventing and puniſhing of Vice, Profaneneſs and Immorality*; Iſſued forth by the Advice of Her Privy Council, *Feb.* 25, 1702. About the Time of the Concluſion of the laſt Seſſion of Parliament; wherein She takes Notice, That *the Laws* againſt Profaneneſs, mention'd in Her former Pious Proclamation, (on Her *Acceſſion to the Throne*) had *not been Executed according to Her Majeſties Juſt Expectations and Demands*, ſhould be here Tranſcribed at Large, as a moſt proper Introduction to the following Expedient: But, It being Order'd to be Solemnly Read in all Publick Meetings of the Magiſtracy, as well as Four Times a Year in all Churches and Chappels; it may reaſonably be preſum'd, none can be Ignorant of it, and of the very Weighty Conſiderations on which it is Grounded.

Purſuant therefore to the Deſigns of that Excellent Proclamation, and in Compliance with Her Truly Chriſtian Majeſty's *moſt hearty Deſire, That Religion, Piety, and Good Manners may Flouriſh and Increaſe under Her Adminiſtration and Government*; (which we have all Reaſon to Pray to God, to continue long a Bleſſing to theſe Kingdoms) It is humbly Suppos'd, that a Clauſe might fitly have been added to the Celebrated *Bill, For preventing Occaſional Conformity*, to this Effect,

" And, *whereas ſeveral Perſons* of Profane " and Atheiſtical Principles, and of Vicious " and Debauched Lives, do ſometimes *Join* " *with the* Good and Pious *Members of the* " *Church of England*, in *Receiving the* Holy " *Sacrament of the Lord's Supper*, only to " *Qualifie themſelves* to *Have and Enjoy* ſun- " dry *Offices and Employments*; and yet after- " wards Perſiſt in divers Lewd and Immoral " Practices, to the great Diſhonour of Al- " mighty God, the Scandal of our Holy Re- " ligion, and the ill Examples of others, and " *contrary to the Intent and Meaning of the* " *Laws already made*; Be it therefore Ena- " cted, &c. That if any ſuch Perſon or " Perſons aforeſaid, *who by the Laws are* " *obliged to Receive the Sacrament of the* " *Lord's Supper, according to the Rites and* " *Uſages of the Church of England*, as a Qua- " lification for his, or their Repective Office " or Employment, *ſhall at any Time after* " *their Admiſſion into their Reſpective Offices* " or *Employments*, and *during his or their* " *Continuance in ſuch Office or Employment*, be " Guilty of *Blaſphemy*, contrary to the Sta- " tutes of the 9th and 10th Year of King " *William* the III. Or of *Prophane Curſing or* " *Swearing*, contrary to the Statute of the " 6th and 7th Year of King William the III. " Chap. 11. Or of *Exceſſive Drinking or Tip-* " *ling*, contrary to the Statutes of the 4th " Year of King *James* the I. Chap. 5. And " of the 21ſt Year of King *James* the I. " Chap. 7. Or of *Profanation of the Lord's* " *Day*, contrary to the Statute of the 29th " Year of King *Charles* the II. Chap. 7. Or

" of

" of *abſenting themſelves from Church by the* " *ſpace of a Month*, contrary to the Statute " of the 23d of Queen *Elizabeth*. Chap. 1. " Or of *Adultery* or *Fornication*, contrary to " the Known Laws of God, and the Eccle- " ſiaſtical Conſtitutions of this Realm; and " ſhall thereof be legally Convicted, *&c.* " That then every Perſon ſo Offending as " aforeſaid, ſhall Incur the ſame Penalties, " Forfeitures, and Incapacities, as if he had " been *preſent at any Conventicle or Meeting,* " *under Colour or Pretence of any Exerciſe of* " *Religion, in other Manner than according* " *to the Liturgy, and Practice of the Church* " *of England.*

Upon this Clauſe, it is humbly Offer'd to Conſideration.

1. Whether the Receiving of the Sacrament of the Lord's Supper, *according to the Rites and Uſages of the Church of England*, do only oblige Men to a Conformity of thoſe Rites and Uſages, and no other? Or, Whether it do not alſo Oblige Men Religiouſly to Regard all the Doctrines and Laws of Chriſt's Holy Religion? And, Whether it be not as ſtrong an Engagement againſt Immorality and Profaneneſs, as it is againſt Non-Conformity?

2. Whether the *Rubrick* perfix'd to *the Order for the Adminiſtration of the Lord's Supper*, [which Appoints, *That none who is an Open and Notorious Evil Liver, ſhall preſume to come to the Lord's Table, until he has openly Declared himſelf to have truly Repented, and Amended his former naughty Life; that the Congregation may thereby be Satisfied, which before was Offended*] be not as Good and Wholſom a Conſtitution of the Church of *England*, and every Way as Binding, and as fit to be Supported, as that which Obligeth the People to Receive the Communion *all Meekly Kneeling?* And, whether a common Drunkard, and a common Swearer, may not be look'd upon as an *Open and Notorious Evil Liver*, in the Senſe of that *Rubrick?*

3. Whether the Laws which have provided, That every Perſon to be Admitted into any Office or Employment, ſhould Receive the Sacrament of the Lord's Supper, *according to the Rites and Uſage of the Church of England*, did not thereby *intend*; That ſuch Perſons ſhould be not only *Conformable to the Church as by Law Eſtabliſh'd*; But alſo, that they ſhould be Perſons of a Religious, Sober and Virtuous Life; For, otherwiſe by the *Rubrick* aforeſaid, They were not to be *Admitted to the Lord's Table.*

4. Whether the undeniable Profaneneſs of too many of the Officers, both of the Army and Navy, do not caſt ſome Reflections upon thoſe Miniſters of the Church of *England*; who Admitted them to the Lord's Table, to Qualifie them for their Offices, before they had (according to the *Rubrick*,) *truly Repented and Amended their former naughty Lives?* And, whether ſome Expedient ſhould not be found out to prevent that Reflection?

5. Whether the Conformity of the Irreligious, the Deiſts, and the Profane, to Qualifie them for Offices, be not as truly an *Occaſional Conformity* as that of Diſſenters; and therefore, whether the Clauſe offer'd, would not have been Neceſſary to the full Anſwering of *the Title* of the Bill?

6. Whether all thoſe Reaſons which the Commons at the *Free Conference*, Jan. 16, 1702. Urged for the Preventing of the Occaſional Conformity of Diſſenters; be not as Strong *for the Preventing* of the Occaſional Conformity of the Vicious and Prophane? And, whether it be not as Juſt and Reaſonable, for one ſingle Act or Inſtance of Vice and Profaneneſs, (much more a continued Courſe) to Puniſh and Incapacitate a Man as Vicious and Profane; as it is to Puniſh and Incapacitate a Man as a Diſſenter, for being *once* preſent at a Diſſenters Meeting? *See the Lord's Account 8vo.*

Let us then take the Common's Reaſons in order as they ly, and enquire,

(1.) Whether it would not contribute as much to *the Support of the Intereſts both of Church and State*, *p.* 22. thus to diſcountenance Atheiſm and Prophaneneſs (which are certainly deſtructive to all Societies Civil and Sacred) as thus to diſcountenance the Separation? And, Whether ſince the Prevalency of Vice, *if not timely remedied*, threatens (as the Proclamation expreſſes it) *to draw down the Divine Vengeance upon the Kingdom*, all that are Friends to the *Church and State*, ſhould not do what they can to prevent that Vengeance?

(2.) Whether the *Occaſional Conformity* of the Vicious and Prophane be not as *Scandalous a Practice* as the Occaſional Conformity of ſober and moderate Diſſenters? And, Whether it be not as great a *Reproach to Religion*, and do not give as juſt an *Offence to all good* Chriſtians, and even to the *beſt* of the Church of *England* men themſelves? And, Whether the *Intent of this Bill* ſhould not have been as well to *reſtrain*, to put a ſtop to the one as to the other?

(3.) Whether

(3.) Whether this Clauſe propoſeth to *Enact any thing new*, more than the Bill did? And, Whether it might not juſtly be *intended to make* not only the *Laws in Being*, but alſo Her Majeſties Proclamation *more effectual?*

(4.) Whether *ſince the Invention*, ſince the Iniquity of Atheiſtical and Prophane Men have found out ways to *evade and elude the Laws* which were thought ſufficient to ſecure Vertue and Religion, any one can doubt but that the *Lords*, and *Commons* too, would let theſe Men ſee, *they will not be wanting on their part to maintain and ſupport them?* And, Whether *ſince* (as the Proclamation ſaith) *we cannot expect the Bleſſing of Almighty God without a Religious Obſervance of his Holy Laws*, this Clauſe be not as *neceſſary* as the Bill it ſelf for the *preventing of thoſe Miſchiefs which muſt prove deſtructive to the Church and the Monarchy?*

(5.) Whether if any ſhould have *p.* 23. oppoſed this Clauſe, they might not be thought *capable of having Deſigns, they were aſham'd to own?* And whether ſince *nothing is deſign'd in it*, but the Preſervation of Virtue and Morality, as well as of Chriſtianity, any doubt can be made of its having met with the *chearful Concurrence* of both Houſes?

(6.) Whether the Support of *Ibid.* Chriſts Holy Religion be not *abſolutely neceſſary* to the Support of the Church of *England?* And whether it be not eſpecially *neceſſary* at this Day, *when ſo many ill Men* deny the *Inſpiration* of the Sacred Writings, (many more than *pretend* to Inſpiration themſelves) *and when there are ſo many weak Men to follow them?*

(7.) Whether *if* the Support of Chriſtianity *be neceſſary, the only effectual Way to do it* be not *by keeping the Civil Power in the Hands of thoſe, whoſe Principles and Practiſes are conformable to it.*

(8.) Whether *all* ought not to *Ibid.* *have freſh in their Minds, the Confuſions and Calamities that have been brought upon the Nation, by ſuch as pretend to be in the true Intereſt of the Church of* England, *and their Country*, and yet by their Atheiſtical Principles, and their vicious and immoral Lives, have prov'd dangerous Enemies to both? And whether one might not reaſonably have *thought, that the Teſt-Act had provided a ſufficient Barrier to defeat and diſappoint the Attempts* of the Irreligious and Profane, by *Enacting, that all in Offices ſhould receive the Lords Supper*, and thereby teſtifie their Belief of all the Sacred Doctrines of the Goſpel, and oblige themſelves to an obſervance of all its Laws? And whether one could *ever have imagin'd, that a Set of Men would at any time riſe up* of ſuch profligate Conſciences, as to arraign Divine Revelation, ridicule ſerious Godlineſs, and live in a conſtant Contradiction to the great Laws of Chriſtianity, and yet, for Preferment to ſubmit to the moſt ſacred and binding Rite of that Holy Religion?

(9.) Whether it would not have *Ibid.* been both the Glory and Safety of *Her Majeſties moſt Auſpicious Reign*, if now *ſuch an Act as this ſhould have paſt in favour of the Church of* England, That the Laws againſt Impiety and Immorality (the Churches moſt dangerous Enemies) *which have been* neglected, may *hereby be effectually enforc'd?* And whether this would not have been highly pleaſing to Her Majeſty, who hath by Her Pious Proclamation intimated, That there needs ſome further Expedients, *to reduce to Shame and Contempt, thoſe ill Habits and Practiſes* which the *Laws, it may be, are not ſufficient wholly to prevent*; and even particularly recommended the *Good Example of thoſe in Authority*, as the beſt Expedient? And whether the Ends of Her Majeſties Proclamation could better have been anſwer'd, than by *keeping* Profane and Vicious *Men out of Offices, who have* ſufficiently *ſhewn they never wanted the Will, when they had the Power to deſtroy* Chriſtianity, and with it *the Church of* England.

(10.) Whether it be poſſible, that this Clauſe ſhould *be miſrepreſented*, *Ibid.* and under any Colour oppos'd, but by ſuch only as having Sold themſelves to work Wickedneſs, hate to be Reform'd?

(11.) Whether there be any Legal *Toleration* of Atheiſm and Pro- *Ibid.* faneneſs, on which this Clauſe would be in any Danger of *intrenching?*

(12.) Whether this Clauſe would have *taken from* the Atheiſts and *p.* 24. Profane *any one Priviledge they have by Law*, or *given any one Priviledge* to Vertue and Religion, *which is not at leaſt intended them by the Laws as they now ſtand*, and by Her Majeſties Declaration, *that She will upon all Occaſions diſtinguiſh Men of Piety and Virtue, by Marks of Her Royal Favour.*

7. Whether (of the Two) there be not ſtronger and better Reaſons, for the incapacitating of thoſe for Offices, that are incorrigibly Vicious and Profane; than of *thoſe* who are otherwiſe, Men of ſincere Affection to

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Vertue and Religion, Zealous for Her Majesties Government, true to the Interests of the Nation, cordial Friends to all the Essentials of the Church of *England*, and having *the truest Zeal to support it*: Tho' they are not yet so passionately enamour'd with its peculiar Rites and Forms, as to think it a Mortal Sin to *Worship God* without them, but for the present are of the mind of those Noble *Lords*, who *thought that the* Dissenters *could not properly be called* Schismaticks?

Let us compare this Clause with the Bill to which it might have been annex'd, and let us enquire,

1. Whether Prophaning the Blessed Name of God, by Oaths and Curses, be not really a Greater Crime than a devout and conscientious joining with the Godly Prayer of a Dissenter, suppose in a private Family, or in Visiting of the Sick? And therefore, Whether the Penalty of Two Shillings for the former, and of One Hundred Pounds (Five Hundred perhaps) and Loss of Livelihood for the later, be proportionable?

2. Whether those that pretend to be *for the Church*, but seldom, or never, *go to Church*, be not worse Men, and more hurtful to the Present Establishment, than those who sometimes Religiously attend the Worship of God according to the *usage* of the *Church of England*, and sometimes according to the *usage* of the *French* and *Dutch* Churches, *establisht in this Realm*? And whether therefore the former should be liable only to the Penalty of *Twelve Pence a Sunday*, and the latter liable *to the heaviest Punishment next to loss of Life*, for so, incapacity to serve one's Country, the Lords say, may justly be accounted?

3. Whether *it be not possible* that a Moderate *Church-man*, who thinks he may lawfully be *present* sometimes at a Meeting of Dissenters, and a Moderate Dissenter who thinks he may lawfully go sometimes to Church, and on some Occasions ought to do so; *may* (both the one and the other) *therein act*, according to the Dictates of *their own Consciences*? And whether therefore the putting of so great a Penalty, either upon the one or the other, as this Bill did, would not have been *Persecution for Conscience only? than which* (as the Preamble of the Bill declares) *nothing is more contrary to the Profession of the Christian Religion, and particularly to the Doctrine of the Church of England*. But on the other hand, Whether it be possible that any should pretend themselves *bound in Conscience* to persist in Vice and Immorality?

4. Whether it be not more Necessary to strengthen the Bulwarks against those Practices which Her Majesty hath by Proclamation declar'd her Pious Resolution to *discountenance* and *punish*, to discourage and suppress, than against those Practices which are *permitted and allowed*, and taken under the Protection of the Government by an Act of Parliament, which Her Majesty hath Declar'd, *She will be careful to preserve and maintain*, and which the Bill acknowledgeth *ought inviolably to be observed*?

5. Since Magistrates are not impower'd to punish Dissenters, but are (besides the Obligation of the Laws and their Oaths) particularly *Required and Commanded* by Her Majesty's Proclamation to be *vigilant and strict in the Discovery and Effectual Prosecution and Punishment of all Persons who shall be guilty of Excessive Drinking, Blasphemy, Prophane Swearing or Cursing, Lewdness, Prophanation of the Lord's Day, and other dissolute, immoral or disorderly Practices; and are especially charged to suppress all Bawdy-Houses, &c.* And this *Upon pain of Her Majesties Highest Displeasure, and of being proceeded against with the utmost Rigor that may be by Law*: Whether it be not much more Necessary to keep out of the Magistracy such as being themselves Vicious and Prophane, will not only be remiss and negligent in putting those wholsome Laws in Execution which are so Solemnly given them in Charge, but by their Example support and propagate Vice and Prophaneness, than to Exclude such as would be faithful and vigorous in their Obedience to Her Majesty, but only are so weak as to think themselves oblig'd in Conscience to give Countenance sometimes to the Assemblies of pious and peaceable Dissenters, or of the *Protestant Refugees*?

6. Whether the *incapacitating* of the *vicious* and *prophane* be not a likely Means to Reform them, and bring them to Vertue, which will be a Point gain'd to the Church, while the *incapacitating* of moderate and pliable Dissenters will be in danger to *harden* them, and *confirm* them in their Dissent, which will be a Point lost to the Church?

By a Loyal Subject of Her Most Gracious Majesty (whom God long Preserve and Bless)
And a True Lover of the *Church of England*.

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